

# Notice of Allowability

Application No.

09/879,224

Examiner

Matthew s Gart

Applicant(s)

KIMMEL, JAMES PAUL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to remarks (9/3/2004), int. sum. (12/4/2004).
2. ☒ The allowed claim(s) is/are 30-38.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12/3/04.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12/4/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Examiner amendment to drawings.

  
Jeffrey A. Smith  
Primary Examiner

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James P. Kimmel, Jr. on December 3, 2004.

The application has been amended as follows:

#### **In The Title**

Title has been amended as follows:

Electronic legal research ordering and pricing ~~system and~~ method of defining and valuing electronic legal research instructions and electronically ordering and pricing legal research.

#### **In The Specification**

Specification (filed 9/3/2004) has been amended on page 6, line 12 as follows:

Fig. 6a, Fig. 6b, Fig. 6c, and Fig. 6d shows standardized primary legal research instructions and specifications, sub-instructions and specifications and specific

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instructions and specifications, including numerical complexity values under the preferred embodiment of the invention.

### **In The Claims**

Claims 1-21 have been previously canceled.

Claims 22-29 are canceled per this Examiner's amendment.

Claims 39-47 are canceled per this Examiner's amendment.

### Reasons For Allowance

The following is an examiner's statement of reasons for allowance:

Claim 30 recites a computerized method of automating the assignment, valuation, pricing and purchasing of legal research projects, comprising *inter alia*, the steps of:

receiving and storing in said electronic legal research ordering and pricing server a numerical complexity value for each legal research instruction and specification that can be selected by said purchasing client when ordering legal research;

receiving and storing in said electronic legal research ordering and pricing server standardized price ranges that correspond to said numerical complexity values; and

calculating the total numerical complexity value of the legal research order placed by said purchaser client by totaling the numerical complexity values stored in said electronic legal research ordering and pricing server for each legal research instruction and specification option selected by said purchaser client.

Walker (U.S. Patent No. 5,862,223) neither anticipates nor fairly and reasonably teaches receiving and storing in said electronic legal research ordering and pricing server a numerical complexity value for each legal research instruction and specification that can be selected by said purchasing client when ordering legal research; receiving and storing in said electronic legal research ordering and pricing server standardized price ranges that correspond to said numerical complexity values; and calculating the

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total numerical complexity value of the legal research order placed by said purchaser client by totaling the numerical complexity values stored in said electronic legal research ordering and pricing server for each legal research instruction and specification option selected by said purchaser client. Walker teaches away from a method of automating the assignment, valuation, pricing and purchasing of legal research projects. Job requests and specifications under Walker are typed into the Walker "communication system" in the user's own words. No standardization or automation of the job specification is provided. Walker is merely a "communications system" under which an end user must define the job request and specification and then Walker calculates a price (not based on a standardized price range) and submits a bid to do the work.

It is observed that none of the references of record, either alone or in combination with any other reference of record teach a method of automating the assignment, valuation, pricing and purchasing of legal research projects.

### **Examiner Comments**

The drawings filed on 9/3/2004 are acceptable subject to the corrections required by the attached Examiner's amendment. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance. The applicant should include in his corrected drawings labeling as set forth by the examiner and attached hereto.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

KR 2002022825 A, Noh KS, September 21, 2000, discloses a customized knowledge service and Internet statistics processing system and managing method thereof.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

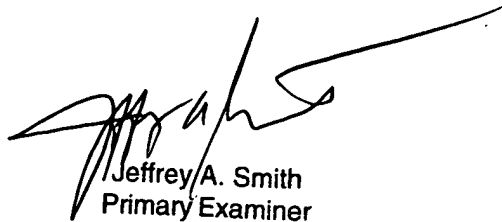
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew s Gart whose telephone number is 703-305-5355. The examiner can normally be reached on 8:30AM to 5:00PM m-f.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MSG  
Patent Examiner  
December 3, 2004



Jeffrey A. Smith  
Primary Examiner